

### **REMARKS/ARGUMENTS**

These remarks are made in response to the Office Action of April 28, 2008 (Office Action). As this response is timely filed within the 3-month shortened statutory period, no fee is believed due. However, the Examiner is expressly authorized to charge any deficiencies to Deposit Account No. 50-0951.

Applicants have cancelled Claims 11-31. However, Applicants are not conceding that the cancelled claims fail to present patentable subject matter. The cancellations are solely for the purpose of expediting prosecution. Accordingly, the cancellations should not be interpreted as the surrender of any subject matter, and Applicants expressly reserve the right to present the cancelled claims in any future divisional or continuation applications from the present application.

### **Claim Objections**

Claims 12 and 27 were objected to as being substantial duplicates of Claims 11 and 21. Claim 16 was objected to for reciting intended use limitations.

Claims 12, 16, and 27 have been cancelled.

### **Claim Rejections – 35 USC § 101**

Claims 11-31 were rejected under 35 U.S.C. § 101 because it was asserted that the claimed invention is directed to non-statutory subject matter.

Although Applicants disagree, Claims 11-31 have been cancelled to facilitate prosecution of the instant application.

Appln No. 10/666,323  
Amendment dated July 28, 2008  
Reply to Office Action of April 28, 2008  
Docket No. BOC9-2003-0019 (388)

**Double Patenting**

Claims 1-6 and 8-31 were rejected on the grounds of non-statutory obviousness-type double patenting as being unpatentable over Claims 1, 13, 20, and 32 of U.S. Patent 7,284,156.

A terminal disclaimer has been submitted herewith to obviate the double patenting rejection.

**CONCLUSION**

Applicants believe that this application is now in full condition for allowance, which action is respectfully requested. Applicants request that the Examiner call the undersigned if clarification is needed on any matter within this Amendment, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

AKERMAN SENTERFITT

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